

Form O-100

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:	§	
	§	CASE NO. 12-30880-DRJ
JANIE SANTANA,	§	
	§	CHAPTER 13
Debtor.	§	

ORDER GRANTING RELIEF FROM AUTOMATIC STAY AND CO-DEBTOR STAY
(This Order Resolves Docket # 21)

Comerica Bank ("Movant") filed its Motion for Relief from the Stay and Co-Debtor Stay Regarding Real Property ("Motion") located at 4625 Clay Street, Houston, Texas 77023 (the "Property"). In its Motion, Movant represented to the Court that it had served the Motion in accordance with all applicable rules and provided appropriate notice of the deadline for any responses to the Motion in accordance with all applicable rules. Further, Movant certifies and represents to the Court that it provided appropriate notice of the hearing on the Motion via Notice of Hearing at Docket # 22.

_____ Although a response opposing the motion was filed, the respondent did not appear at the hearing. Therefore, the response is overruled for want of prosecution and the motion is granted.

_____ The debtor filed a response that the debtor was not opposed to the requested relief and no other party opposed the requested relief.

_____ The debtor filed a response that the debtor was unable to admit or deny the allegations, the debtor failed to appear at the hearing, and no other party opposed the requested relief.

_____ After hearing, and for the reasons stated on the record, relief from the stay is granted.

 X No timely response was filed. Accordingly, the motion is granted by default.

_____ As shown by Debtor(s)' counsel signature below, Debtor(s) have agreed to the requested relief.

Accordingly, it is ordered that the Movant is granted relief from the automatic stay and the co-debtor stay to pursue its state law remedies against the Debtor, Co-Debtor and the Property, including eviction.

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Additional rulings:

 X Movant is awarded attorneys fees in the amount of \$500.00.

 X The stay imposed by Bankruptcy Rule 4001(a)(3) does not apply.

Signed _____, 2012.

David R. Jones
United States Bankruptcy Judge